

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>	Attorney Docket No.	1733.1064-004
	First Named Inventor or Application Identifier	Henry R. Costantino
	Express Mail Label No.	EV 214947055 US

22390 U.S. PTO
 10/784908

Title of Invention: **A COMPOSITION FOR THE DELIVERY OF LIVE CELLS AND METHODS OF USE THEREOF**

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

1. ☐ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification **Total Pages [34]**
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. 113) **Total Sheets [5]**
☐ Fig. of the Drawings for Publication ☐
☒ No Figure to be Published
4. ☒ Oath or Declaration **Total Pages [6]**
 - a. ☐ Newly executed (original or copy) -
 - b. ☒ Copy from a prior application (37 C.F.R. 1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ DELETION OF INVENTOR(S)
 Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program *(Appendix)*

6. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form
 - b. ☐ Paper Copy (identical to computer copy)

☐ Pages
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet & documents)
☒ Assignees -
 Alkermes Controlled Therapeutics, Inc. - Cambridge, MA
 University of Massachusetts - Boston, MA
8. ☐ Power of Attorney ☐ 37 C.F.R. 3.73(b) Statement
9. ☐ English Translation Document *(if applicable)*
10. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
11. ☐ Preliminary Amendment
12. ☒ Return Receipt Postcard
13. ☐ Small Entity Statement(s)
- 14a. ☐ Foreign Priority Claim under 35 U.S.C. §119 or 365
- 14b. ☐ Certified Copy of Priority Document(s)
15. ☐ Nonpublication Request *(check parent application)*
16. ☒ Other Remarks/Change of Correspondence Address


17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/612,744
 Prior application information: Examiner: Naff, D. Group Art Unit: 1651

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same)

18. CORRESPONDENCE ADDRESS

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Henry R. Costantino, Lawrence J. Bonassar and Mark A. Tracy

Continuation Application of

Application No.: 09/612,744

Filed: July 10, 2000

For: A COMPOSITION FOR THE DELIVERY OF LIVE CELLS AND
METHODS OF USE THEREOF

Date: <u>2/23/04</u>
EXPRESS MAIL LABEL NO. <u>EU214947055US</u>

REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

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Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of application number 09/612,744 filed on July 10, 2000 to which priority is claimed under 35 U.S.C. §120.

The specification of the present application is substantially the same as that of the parent application. A related applications paragraph has been added as the first paragraph in the specification. No new matter has been added.


The original claims are presented as in the parent application. A newly executed declaration under 37 C.F.R. 1.63 is not believed to be necessary under 37 C.F.R. 1.63(d) or 1.67(b).

Please send all correspondence in the above-identified continuation application to:
Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box

9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to David E. Brook, Esq. at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

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Dated: 2/23/04